

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
SEATTLE DIVISION

GRAEME PARKER,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Civil No. 2:20-cv-01346-BAT

ORDER

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand from the district court, the Appeals Council will remand for further proceedings to offer Plaintiff the opportunity for a hearing before a different Administrative Law Judge (ALJ). The Appeals Council will instruct the ALJ as follows. The ALJ will evaluate Plaintiff's schizoaffective disorder and substance use disorder beginning at step two of the sequential evaluation, and will evaluate Plaintiff's symptom testimony and lay witness testimony. The ALJ will evaluate the opinions of State agency psychological consultants and assess Plaintiff's residual functional capacity, obtaining medical

1 expert evidence. The ALJ will continue the sequential evaluation process, obtaining vocational
2 expert evidence as warranted. If the ALJ finds Plaintiff disabled considering substance abuse, the
3 ALJ will perform a Drug Abuse and Alcoholism (DAA) analysis to determine whether disability
4 would exist in the absence of substance abuse and, in doing so, the ALJ will consider evidence
5 from the medical expert.

6 Judgment shall be entered for Plaintiff. Upon proper presentation, the Court will consider
7 whether reasonable attorney fees, costs, and expenses should be awarded pursuant to the Equal
8 Access to Justice Act, 28 U.S.C. § 2412(d); 28 U.S.C. § 1920.

9 DATED this 17th day of August 2021.

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12 BRIAN A. TSUCHIDA
13 United States Magistrate Judge

14 Presented by:

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